



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK
Governor

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Secretary

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September 25, 2009

Mr. Fred Confalone
Wheelabrator Millbury, Inc.
331 Southwest Cutoff Road
Millbury, MA 01527

Re: Wheelabrator Millbury, Inc. BWP SW 16 Permit Modification. Class II Recycling Program
Facility ID# 132293 – Final Permit

Dear Mr. Confalone:

Attached is Wheelabrator Millbury's Approved Class II Recycling Program permit modification under 310 CMR 19.300. MassDEP issued a Provisional Permit on August 26, 2009 pursuant to the provisions of Massachusetts General Laws (M.G.L.) Chapter 111, Section 150A and 310 CMR 19.000, and the "Solid Waste Management Facility Regulations". Pursuant to the provisions of 310 CMR 19.037 (4)(a), the MassDEP accepted written comments on this Permit for twenty-one (21) days from the date of issuance. Wheelabrator submitted several comments on the Provisional Permit and below is a summary of how MassDEP addressed these comments.

1. Wheelabrator indicated in its permit modification application and a subsequent e-mail correspondence during the Provisional Permit comment period that the data required for the Electronic Tracking System will be collected to the extent known and provided two specific examples, TIME_OUT and HAULER_ACCOUNT_NUM, of data that may be difficult to collect. MassDEP amended Attachment 1 – Electronic Tracking System Data Specifications to reflect this under TIME_OUT and HAULER_ACCOUNT_NUM. Any other changes in the Electronic Tracking System Data will need approval from MassDEP.
2. Wheelabrator commented that there are no provisions under Condition #11 (D) to allow for standard breaks and lunch. MassDEP amended this condition to allow for breaks in accordance with applicable law.

Other relevant changes to the Provisional Permit modification are listed below.

1. MassDEP added a condition (Condition #4) outlining MassDEP's right to inspect the facility.



2. An addition to Attachment 2 was made to include analysis by failed material in the Quarterly Comparative Analysis Report.
3. MassDEP amended Condition #12 extending the deadline for submitting a permittee's waste characterization methodology to no later than November 1, 2009, but maintained the deadline of January 1, 2010 for starting the waste characterization study.

MassDEP appreciates Wheelabrator's cooperation during the permitting process. If you have any additional questions, please contact me at 617-292-5988.

Sincerely,

Greg Cooper
Deputy Division Director
BWP – Consumer & Transportation Programs